

United States Bankruptcy Court
Middle District of Pennsylvania

In re:
John Edward Sabol
Debtor

Case No. 23-02015-MJC
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0314-5
Date Rcvd: Jan 11, 2024

User: AutoDocke
Form ID: pdf010

Page 1 of 2
Total Noticed: 3

The following symbols are used throughout this certificate:

Symbol	Definition
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+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
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Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 13, 2024:

Recip ID	Recipient Name and Address
5582048	+ Schuylkill County Municipal Authority, 221 S. Centre St., Pottsville, PA 17901-3506
5564527	+ Schuylkill CountyMunicipal Authorit, 221 South Centre Street, Pottsville, PA 17901-3506

TOTAL: 2

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
	Email/Text: camanagement@mtb.com	Jan 11 2024 18:45:00	M&T Bank, PO Box 840, Buffalo, NY 14240-0840

TOTAL: 1

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 13, 2024

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 11, 2024 at the address(es) listed below:

Name	Email Address
Denise E. Carlon	on behalf of Creditor LAKEVIEW LOAN SERVICING LLC bkgroup@kmlawgroup.com, bkgroup@kmlawgroup.com
Jack N Zaharopoulos	TWecf@pamd13trustee.com
Michael Patrick Farrington	on behalf of Creditor LAKEVIEW LOAN SERVICING LLC mfarrington@kmlawgroup.com

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Paul Donald Murphy-Ahles

on behalf of Debtor 1 John Edward Sabol pmurphy@dplglaw.com kgreene@dplglaw.com

United States Trustee

ustpreion03.ha.ecf@usdoj.gov

TOTAL: 5

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

In re:

John Edward Sabol

Debtor 1

John Edward Sabol

Movant

v.

M&T Bank

Schuylkill County Municipal Authority

Respondents

Jack N. Zaharopoulos, Esquire

Standing Chapter 13 Trustee

Additional Respondent

Chapter 13

Case No. 5:23-BK-02015-MJC

Matter: Motion for Sale of Property Free and Clear of Liens

ORDER

UPON CONSIDERATION of Debtor's Motion for Approval of Sale of Debtor's Real Estate located at 752 Forest Lane, Pottsville, Schuylkill County, Pennsylvania (Parcel No. 05-17-077) ("Real Property") to Scott Landmesser and Gracey Long ("Buyers") free and clear of liens and encumbrances for the sum of one hundred forty thousand (\$140,000.00) dollars, Dkt. # 24 ("Motion for Sale"), after notice to all creditors and parties in interest, Lakeview Loan Servicing, LLC's Answer thereto and subsequent withdrawal thereof, after a hearing held on January 11, 2024, and finding good cause for granting Debtor's Motion for Sale,

IT IS HEREBY ORDERED:

1. Debtor's Motion for Sale shall be and is hereby approved;
2. Debtor is authorized and directed to sell the Real Property, as more fully set forth in Debtor's Motion for Sale, to Buyers free and clear of all liens and interests of creditors, pursuant to §363 of the Bankruptcy Code, subject to the distribution of sale proceeds as contained herein;

The funds will be distributed from the proceeds of the sale of real estate as follows:

- a. Any and all liens against the Property in the order of their priority, including any

mortgages secured by the Property, specifically including M&T Bank, which are required to be paid in full;

- b. M&T Bank shall be paid pursuant to a payoff that will be obtained prior to closing, in full satisfaction of their lien, and shall remain on the Real Property, until the closing proceeds are received and applied;
- c. Schuylkill County Municipal Authority shall be paid pursuant to a payoff that will be obtained prior to closing, in full satisfaction of their lien, and shall remain on the Real Property, until the closing proceeds are received and applied;
- d. Realtor's commission of three (3.00%) percent shall be paid to Realty Marck Associates - Orwigsburg for representation of Buyers and Realtor's commission of three (3.00%) percent shall be paid to Berkshire Hathaway Homesale Realty for representation of Movant;
- e. Payment of attorney's fees in the amount of \$2,000.00 to DETHLEFS PYKOSH & MURPHY, to be held in escrow, pending the filing and approval of a fee application seeking compensation for amounts owed to DETHLEFS PYKOSH & MURPHY;
- f. All closing costs, including any real estate transfer taxes which are the responsibility of the Debtor, pursuant to the terms of the Sale Agreement;
- g. Past due real estate taxes and homeowner's association fees, if any, and present real estate taxes and homeowner's fees, if any, pro-rated to the date of settlement;
- h. Any additional municipal claims, including past due sewer, water, or refuse charges, if any, and any present municipal claims pro-rated to the date of settlement;
- i. The full amount of Debtor's exempt proceeds shall be paid to him;

- j. All non-exempt proceeds necessary to pay all timely filed and allowed unsecured proof of claims shall be paid to the Standing Chapter 13 Trustee. The amount necessary shall be determined by the Trustee prior to closing.
3. This Order shall be effective immediately and shall not be subject to the Stay otherwise imposed by Bankruptcy Rule 6004(h); and
4. Upon consideration of hearing testimony, the Court finds that Buyer is a good faith purchaser for value pursuant to 11 U.S.C. §363(m) and as set forth in the case of *In re: Abbotts Dairies of Pennsylvania, Inc.*, 788F.2d 143 (3d Cir. 1986).
5. Closing shall take place within thirty (30) days from the date of entry of this Order and within thirty (30) days following the closing, Debtor, through counsel, shall file a report of sale, together with a copy of the Closing Disclosure.
- This Order shall survive any dismissal or conversion of this case.

By the Court,

A handwritten signature in black ink, appearing to read 'MJC', is written over a horizontal line.

Mark J. Conway, Bankruptcy Judge
Dated: January 11, 2024